

VIRGINIA:

IN THE CIRCUIT COURT OF ARLINGTON COUNTY

KIRK A. JACKSON	)	
	)	
v.	)	Case No: CL 10-1533
	)	
CARL E. TANNER	)	
	)	
Defendant	)	

ANSWER AND GROUNDS OF DEFENSE

COMES NOW DEFENDANT, CARL E. TANNER ("Tanner"), by counsel, Law Office of Calvin Steinmetz and Law Office of Thomas Lester, and as his Answer and Grounds of Defense to the Complaint of plaintiff Kirk A. Jackson ("Jackson"), states the following:

FIRST DEFENSE

1. The Complaint fails to state a claim upon which relief may be granted.

SECOND DEFENSE

2. The Complaint is barred by the applicable statutes of limitations.

THIRD DEFENSE

3. The Complaint is barred by the doctrine laches.

FOURTH DEFENSE

4. The Complaint is barred by the doctrines of contributory negligence, last clear chance, and assumption of the risk.

FIFTH DEFENSE

5. The Complaint is barred by the doctrines of estoppel and unclean hands.

### SIXTH DEFENSE

6. The Complaint is barred by the doctrines of estoppel and unclean hands.

### SEVENTH DEFENSE

7. Tanner is without sufficient information to admit or deny Paragraph One of the Complaint, and it is therefore denied.
8. Paragraph Two of the Complaint is admitted.
9. Tanner denies that the events alleged in the Complaint took place in the manner asserted in the Complaint, thus Paragraph Three of the Complaint is denied.
10. Tanner need not answer the allegations of Paragraph Four of the Complaint regarding jurisdiction and venue.
11. Tanner reaffirms his answers above in response to Paragraph Five of the Complaint.
12. Paragraph Six of the Complaint is denied.
13. Paragraph Seven of the Complaint is denied, except as to sub-paragraph ( c ) that Tanner took Jackson to a rock concert, with several other people.
14. Paragraph Eight of the Complaint is denied, except Tanner admits that he had a consensual encounter with Jackson on one occasion at Jackson's request when Jackson was seventeen years of age.
15. Paragraphs Nine and Ten of the Complaint are denied, and Tanner demands strict proof thereof.
16. The responses above are incorporated herein in response to Paragraph Eleven of the Complaint.
17. Paragraphs Twelve through Sixteen of the Complaint are denied, and Tanner demands strict proof thereof as to any alleged damages.

18. The responses above are incorporated herein in response to Paragraph Seventeen of the Complaint.

19. Tanner admits the allegation of Paragraph Eighteen in that he had a consensual encounter with Jackson on one occasion at Jackson's request when Jackson was seventeen years of age.

20. Tanner denies the allegations of Paragraphs Nineteen through Twenty-Three of the Complaint, and Tanner demands strict proof thereof as to any alleged damages.

21. The responses above are incorporated herein in response to Paragraph Twenty-Four of the Complaint.

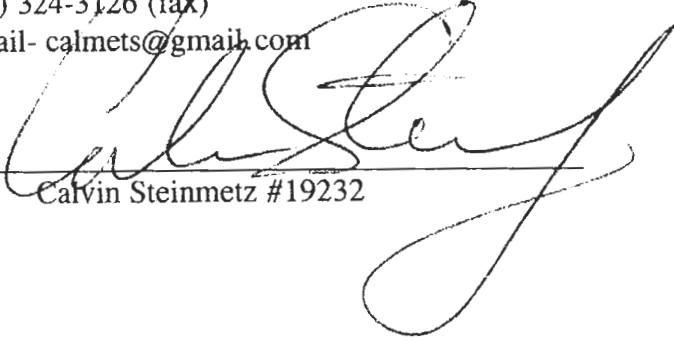
22. Paragraphs Twenty-Five through Twenty Eight are denied, and Tanner demands strict proof thereof as to any alleged damages.

WHEREFORE, Tanner prays that the Complaint be dismissed, with costs and reasonable attorney's fees to Tanner.

CARL E. TANNER  
By Counsel

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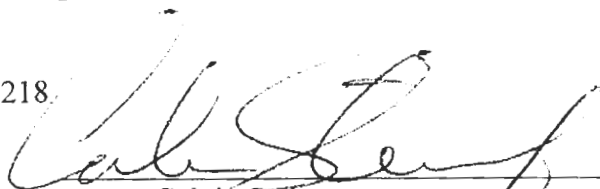
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By:   
Thomas E. Lester # 47092

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the foregoing was sent via facsimile and first class mail, postage prepaid, to the following, this 4<sup>th</sup> day of Nov., 2010:

Christopher M. Day, Esq.  
10560 Main Street, Suite 218  
Fairfax, VA 22030

  
Calvin Steinmetz